

San Francisco Bay Conservation and Development Commission

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December 9, 2016

TO: Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
Jaime Michaels, Chief of Permits (415/352-3613; jaime.michaels@bcdc.ca.gov)

SUBJECT: Listing of Pending Administrative Matters
(For Commission consideration on December 15, 2016)

This report lists the administrative permit applications, federal consistency actions, marsh development permits in the Secondary Management Area of the Suisun Marsh, regionwide permit actions, minor amendments to the Suisun Marsh Local Protection Program, and emergency permits that are pending with the Commission. The staff members to whom the matters have been assigned are indicated at the end of the projects' description. Inquiries should be directed to the assigned staff member prior to the Commission meeting.

Administrative Permits and Federal Consistency Actions

The following administrative permit applications and no effect determination have been filed and are presently pending with the Commission. The Executive Director will take the action indicated on the matters unless the Commission determines that it is necessary to hold a public hearing.

Applicant: Thomas Giovannoni
1200 Milton Road
Napa, CA 94559

BCDC Permit Application No. M2014.034.00

Filed: 10/02/16

90th Day: 01/02/17

Location: In the Commission's certain waterway jurisdiction (Napa River), at 1234 Milton Road, in the City of Napa, Napa County.

Description: Conduct (after-the-fact) the following activities associated with the reconstruction of a private deck and boat docking facility:

1. Removal of: a 475-square-foot section of a pile-supported deck (totaling 760 square feet); twelve one-square-foot creosote-treated pilings; a 95-square-foot gangway; and a 167.5-square-foot pile-supported boat dock—a net reduction of approximately 750 square feet of fill; and

2. Installation, use and in-kind maintenance of: an approximately 760-square-foot area of pressure treated wood for a pile-supported deck; an approximately 110-square-foot gangway; an approximately 262-square-foot pressure-treated wood, pile-supported boat dock; and nine one-foot-diameter pilings (seven fiberglass and two wood)— a net increase of approximately 1,132 square feet of fill.

The after-the fact project results in a net increase of approximately 382 square feet of fill in a certain waterway.

Tentative Staff Position: Recommend Approval. (Maggie Weber, 415-352-3668 or Maggie.Weber@bcdcc.ca.gov)

Applicants: Port of Oakland
530 Water Street
Oakland, CA 94607

AND

City of Oakland
250 Frank H. Ogawa Plaza, Suite 4344
Oakland, CA 94612

BCDC Permit Application No. M2015.031.000

Filed: 09/28/16

90th Day: 12/27/16

Location: Within the Commission's Bay and 100-foot shoreline band jurisdiction, at 1965 Embarcadero Street, adjacent to the Livingston Street Pier, in the City of Oakland, Alameda County.

Description: To close an approximately 100-foot-long gap on the San Francisco Bay Trail (Bay Trail), conduct the following activities:

1. Remove a tank storage enclosure and adjacent pipes and wood post, and two parking spaces on the leased property;
2. Construct, use and maintain in-kind a ten-foot-wide, approximately 100-foot-long asphalt Bay Trail path, an associated ramp, and an approximately 1,081-square-foot adjacent asphalt paved area;
3. Paint and maintain in-kind Bay Trail way-finding markers and a painted stop sign; and
4. Install, use and maintain in-kind approximately 1,290 square feet of mulch areas, and 40 linear feet of tube railing.

Tentative Staff Position: Recommend Approval. (Tinya Hoang, 415/352-3622 or tinya.hoang@bcdcc.ca.gov)

Applicant: U.S. Department of the Army
 San Francisco District, Corps of Engineers
 1455 Market Street
 San Francisco, CA 94103-1398

BCDC No Effect Determination

Filed: 10/04/16
 60th Day: 12/02/16¹

Location: At the Oakland Inner Harbor Tidal Canal, in the City of Alameda and in the City of Oakland, Alameda County.

Description: The U.S. Army Corps of Engineers (USACE) proposes to subdivide its property located in the Oakland Inner Harbor Tidal Canal into 99 parcels and retain four parcels. The USACE would transfer one parcel located in the City of Oakland to the East Bay Regional Parks District (EBRPD), and 94 parcels to the City of Alameda. The City of Alameda (City) would retain two open-water parcels. The City would transfer 84 parcels to private residential property owners, and eight parcels to private commercial property owners—of the 92 parcels transferred, a combined total of one-acre would be located at areas upland of the Bay and the remaining area would be located in the water. The proposed property subdivision and transfer would not involve construction activities and would not involve the dedication or development of public access areas.

The Commission staff along with the City of Alameda presented a briefing on the matter to the Commission at its meeting of November 17, 2016. Prior to issuance of the subject negative determination on December 2, 2016, the Commission staff determined that the proposed property subdivision and transfer would have no effect on the coastal zone, uses, or resources, and would be carried out in a manner consistent to the maximum extent practicable with the laws and policies of BCDC's Coastal Management Program.

Staff: (Jhon Arbelaez-Novak) [415/352-3649 or jhon.arbelaez@bcdca.gov]

¹ Due to timelines established through the Coastal Zone Management Act, this negative determination was issued on December 2, 2016. This listing is for information purposes only.